

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

ERIC L. COLES,

Plaintiff,

v.

Civil Action No. 3:19CV528

T. DARDEN, et al.,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on August 29, 2019, the Court conditionally docketed the action. Eric L. Coles requested leave to proceed in forma pauperis. By Memorandum Order entered on October 10, 2019, the Court directed Coles to pay an initial partial filing fee of \$29.35 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. See 28 U.S.C. § 1915(b)(1). Coles has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Coles is not entitled to proceed in forma pauperis. Cole's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Coles.

/s/ *REP*
Robert E. Payne
Senior United States District Judge

Date: November 12, 2019
Richmond, Virginia